

REGULAR COUNCIL MEETING
February 4, 2013

Members Present: Douglas Baker, Mayor
Donna Fletcher, Deputy Mayor
Samuel Lyons
James Marshall
Jennifer M Horne
Ryan Rudegeair
Garnet Wood

Members Excused: None

In Attendance: E. William Gabrys, City Manager
Tracy Jamieson, Deputy Manager
Brian Spaid, Esq., City Solicitor
Darla Hawke, Recording Secretary
Rachel & Jim Ashbaugh, 1428 Elk Street
Dianne & Jeffrey Hall, 1109 Elk Street
Amy Chaney, 141 Washington Street
Hope Bittner, 201 Rosemont Farm Road
Haylee Wygant, 1008 Liberty Street
Jeremy Johnson, Venango Newspapers, Inc.
Mark Heim, The Stream

Mayor Baker called the meeting to order at 7:00 PM.

ADOPTION OF AGENDA - Resolution No. 11

Mrs. Fletcher moved to approve the agenda, as presented. Mr. Lyons seconded the motion, which passed unanimously.

APPROVAL OF MINUTES - Resolution No. 12

Mr. Lyons moved to approve the minutes of the regular meeting of January 7, 2013, as presented. Mr. Wood seconded the motion, which passed unanimously.

PAY THE BILLS - Resolution No. 13

Mr. Wood moved to pay the bills as presented. Mr. Lyons seconded the motion, which passed unanimously.

CITIZENS' INQUIRIES - none.

DLUGOS APPEAL DECISION - Resolution No. 14

Discussion was held concerning a Shade Tree removal application from Jane Dlugos,

requesting the removal of two street trees at 103 - 14th Street, which had been denied by the Shade Tree Commission. Mrs. Bittner, Shade Tree Commission Chairwoman, noted that the reasons given for the request was that the trees were "dead or dying" and "diseased." Mrs. Bittner, who inspected the trees visually on October 16, 2013, advised that they appeared to be healthy at that time. She also noted the removal of the trees would drastically change the ambience of the neighborhood. Therefore, the Commission denied the removal request, suggesting instead the trees be pruned and thinned by a qualified arborist. After the request was denied, Mrs. Dlugos hired R. Diebold & Associates to do a visual inspection, which was done on October 20, 2012. They reported that the trees were in decline; had dead & dying branches; bark with poor co-dominate limb union, which could cause large limb failure; and excess seed pod production. Mr. Marshall and Mr. Wood, who recently viewed the two Sweet Gum trees, agreed with the report, adding that their roots are already starting to lift up the sidewalk making a hazardous situation. Mr. Lyons then moved and Mrs. Fletcher seconded a motion to approve the Dlugos appeal to remove the trees at the homeowner's cost and to replace the trees if deemed appropriate by the Shade Tree Commission. Motion passed unanimously. Mrs. Fletcher then lauded the work of the Shade Tree Commission, thanking them for all their hard work and noting that they continue to have the full support of Council.

CERTIFICATE OF APPROPRIATENESS

Resolution No. 15 - Mrs. Fletcher moved and Mr. Rudegeair seconded a motion to approve a certificate of appropriateness for a sign at 1008 Liberty Street, as presented. Motion passed unanimously.

Resolution No. 16 - Mr. Wood moved and Mrs. Fletcher seconded a motion to deny a certificate of appropriateness for exterior changes at 1117 Elk Street due to no one being in attendance at either the Historic & Architectural Review Board [HARB] meeting or this evening's meeting to explain the request. Motion passed unanimously.

Resolution No. 17 - Mrs. Fletcher moved and Mr. Lyons seconded a motion to accept the Check List for applicants to use when making application to the Historic & Architectural Review Board. Motion passed unanimously. The Council thanked Mrs. Hall for her time and effort in creating said list.

SECTION 3 ACTION PLAN ADOPTION - Resolution No. 18

Mrs. Jamieson explained the City needed to adopt an updated Section 3 Action Plan to be in compliance with HUD regulations, with respect to the Community Development Block Grant Program. Essentially, the plan indicates that any contractor that receives over \$100,000, on any project funded by Community Development Block Grant funds, HOME Program funds and/or Emergency Shelter Grant Program funds must meet (to the greatest extent possible) goals for training and goals for subcontract and vendor awards to businesses that meet the definition of Section 3. The Plan also outlines the steps the City needs to take to boost participation by Section 3 residents and businesses.

Mr. Rudegear moved and Ms. Horne seconded a motion to adopt the Section 3 Plan to comply with 24 CFR, Part 135, Section 3 of the US Department of Housing and Urban Development (HUD) Act of 1968, as amended. Motion passed unanimously.

RESOLUTION - UNIFORM CONSTRUCTION CODE APPEALS BOARD - Resolution No. 19

Mr. Rudegear moved and Mr. Wood seconded a motion to adopt a resolution of the City of Franklin, Venango Co, PA, creating the City of Franklin Uniform Construction Code Appeals Board, appointing impartial members to said Board to rule on appeals taken from decisions of the Building Code Official and establishing a corresponding appellate procedure. Motion passed unanimously.

FIRST READING - BILL NO. 1 - WILEY AVENUE BRIDGE WEIGHT LIMIT - Resolution No. 20

Mr. Spaid read Bill No. 1 of 2013, "Wiley Avenue Bridge Weight Limit," in its entirety. Mr. Marshall moved and Mr. Lyons seconded a motion to pass on First Reading, Bill No. 1, "Wiley Avenue Bridge Weight Limit." Motion passed unanimously.

Resolution No. 21 - Mr. Gabrys reported that it was estimated that bridge repairs would cost between \$20-25,000. He requested permission to apply for an Historic Preservation Grant, if feasible, to cover this cost, noting that it was a 50-50 Grant. The City would plan to use Liquid Fuels monies, if possible; otherwise, the monies would be taken from Capital Funds. Mr. Rudegear moved to authorize permission to apply for said grant. Mr. Marshall seconded the motion, which passed unanimously.

PARADE & PARK REQUESTS

Resolution No. 22 - Mrs. Fletcher moved and Mr Lyons seconded a motion to approve the following requests:

- Wheel House Pottery to use Fountain Park for '**Pots in the Park,**' from May 31, 2013 thru June 2, 2013
- Franklin High School to use Bandstand Park for '**Commencement,**' on June 9, 2013
- City of Franklin to use Bandstand Park for the '**Taste of Talent Vocal Competitions,**' Wednesdays, from June 26 thru July 24, 2013
- City of Franklin to use Fountain & Bandstand Parks for '**4th of July Festivities Week,**' from June 26 thru July 4, 2013
- City of Franklin to use Liberty Street & Bandstand Park for the '**LibertyFest Parade & Concert,**' on June 29, 2013
- DeBence Antique Music World to use Fountain Park, 12th Street Island, and in front of the museum for the '**Organ Grinders Rally,**' from August 2 thru 4, 2013
- City of Franklin to use Fountain Park for '**Taste of Franklin & Old Fashioned Bargain Days,**' on August 3 & 4, 2013
- City of Franklin to use Riverfront Park for the '**Rock-in-River Fest/PA Stoneskipping Championship,**' on August 24, 2013

- City of Franklin to use Fountain Park, Liberty/Thirteenth/Railroad Streets for 'Light-Up Night' on November 23, 2013.

Motion passed unanimously.

Resolution No. 23 - Mrs. Fletcher moved to table the request from the Franklin Area Chamber of Commerce to use numerous locations throughout the downtown for 'Applefest,' from October 1 thru 6, 2013, until the following meeting. The application will be returned to the Chamber to request the reason for closing West Park Street on Wednesday. Mr. Wood seconded the motion, which passed unanimously.

REPORTS

Manager

- Would need an executive session to discuss personnel & negotiations.

Solicitor

- Would need an executive session to discuss litigation.

Mayor • Appointments

Resolution No. 24 - Mayor Baker moved to appoint Mr. Rudegeair to the Fire Pension Board. Mr. Lyons seconded the motion, which passed unanimously.

Resolution No. 25 - Mayor Baker moved to appoint Registered Architect Daniel Weiland to the Historic & Architectural Review Board. Mr. Rudegeair seconded the motion, which passed unanimously.

- Reminded everyone that Saturday, February 9, is Franklin On Ice.

COUNCIL REPORTS

Mrs. Fletcher

- Thanked the News-Herald Reporter for attending last week's Zoning Hearing Board.
- Invited everyone to come downtown to view the ice sculptures this coming weekend.

Mr. Lyons

- Welcomed Aikins Subs & More, who opened February 1, 2013, in the old Martino's building on 15th Street.

EXECUTIVE SESSION

Resolution No. 26 - Mr. Marshall moved to enter into executive session at 8:02 PM to discuss personnel, litigation and negotiations. Mr. Rudegeair seconded the motion, which passed unanimously. The executive session ended at 8:31 PM.

ANY OTHER BUSINESS

Resolution No. 27 - Mrs. Fletcher moved to award the proposed settlement with Deets Mechanical for a total of \$35,000 for the City Hall roof. Mr. Rudegear seconded the motion, which passed unanimously.

ADJOURNMENT

Resolution No. 28 - There being no further business to come before the Council at this time, Mrs. Fletcher moved and Mr. Lyons seconded a motion to adjourn the meeting at 8:34 PM. Motion passed unanimously.

Respectfully submitted,

Darla Hawke, Recording Secretary